

**Comments of Keith Austin, Mayor of Briarcliff Manor, New York, on the Millennium Pipeline Project; Public Hearing, November 13, 2002.**

My name is Keith Austin, and I am the Mayor of Briarcliff Manor. I am here today to state for the record that our community is strongly opposed to the Millennium pipeline, as it is currently proposed.

As other representatives and residents of our area have already pointed out, our opposition to this pipeline is based on a wide range of issues, including the impacts it will have on our community, our schools, our drinking water, and on the environment.

With regard to the pipeline's coastal impacts, Millennium's proposed crossing of Haverstraw Bay is particularly problematic. This area of the Hudson River has been recognized by the Department of Commerce as an "irreplaceable" habitat, and has been given special protection under the CZMA as a Significant Coastal Fish and Wildlife Habitat. The pipeline would involve dredging and blasting within portions of the "significant habitat" that have never been disturbed before. Among the impacts of the crossing are: the destruction of acres of pristine aquatic habitat, direct mortalities of endangered sturgeon and other aquatic species, resuspension of contaminated sediments, and adverse impacts water quality.

We were also extremely troubled by Millennium's belated disclosure of its plans to conduct underwater blasting within Haverstraw Bay only after the publication of the Final Environmental Impact Statement. Millennium never brought this to the attention of New York State or other agencies, and it took an express FERC order to get Millennium to prepare a blasting impact assessment. Not surprisingly, however, Millennium assures us

that detonating explosives within a pristine and previously untouched aquatic habitat “will not result in any impacts of ecological significance.”

This simply flies in the face of common sense and directly contradicts the findings of several state and federal agencies that have reviewed the proposed crossing. Recently, the U.S. Fish and Wildlife Service stated: “the project would result in substantial and unacceptable affects to aquatic resources of National importance,” and “the Service believes that the proposed crossing of Haverstraw Bay should be avoided and an alternative with fewer impacts selected.”

For these reasons, New York State correctly determined that the pipeline would violate several policies of both the State’s Coastal Management Program and the Croton-on-Hudson Local Waterfront Revitalization Program. The Coastal Zone Management Act requires Millennium to avoid these coastal impacts “to the maximum extent practicable.” Millennium has ignored this requirement and has done nothing to avoid the pipeline’s coastal impacts. Most importantly, as other speakers to follow me will point out, Millennium has a number of alternative routes that it could use that would completely avoid the coastal impacts cited in the State’s objection.

We thank the Department for offering us this opportunity to comment on the Millennium proposal, and urge you to uphold the New York State objection.